

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GENERAL MOTORS LLC,

Plaintiff,

v.

HEFEIPEIKONGSHANGMAOYOUXIANGONGSI
and THE INDIVIDUALS AND ENTITIES
OPERATING
HEFEIPEIKONGSHANGMAOYOUXIANGONGSI

Defendants.

Case No. 24-cv-01624

Judge Sharon Johnson Coleman

Magistrate Judge Young B. Kim



SEALED TEMPORARY RESTRAINING ORDER

THIS CAUSE being before the Court on Plaintiff General Motors LLC's ("Plaintiff" or "GM") *Ex Parte* Motion for Entry of a Temporary Restraining Order, including a Temporary Injunction, a Temporary Asset Restraint, and Expedited Discovery, and Motion for Electronic Service of Process Pursuant to Fed. R. Civ. P. 4(f)(3) (the "Motions") against the fully interactive, e-commerce stores¹ operating under the seller aliases identified in Schedule A to the Amended Complaint and attached hereto (the "Seller Aliases"), and this Court having heard the evidence before it hereby GRANTS Plaintiff's Motions in their entirety.

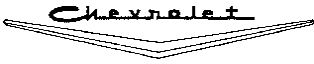




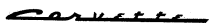





This Court further finds that it has personal jurisdiction over the Defendants since the Defendants directly target their business activities toward consumers in the United States, including Illinois. Specifically, Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more Seller Aliases, offer shipping to the United States, including Illinois, accept payment in U.S. dollars,









¹ The e-commerce store urls are listed on Schedule A hereto under the Online Marketplaces.







and/or funds from U.S. bank accounts, and have sold products using infringing and counterfeit versions of the federally registered GM trademarks (the “GM Trademarks”) (a list of which is included in the chart below) to residents of Illinois.



Registration No.	Trademark
1,223,115	GENERAL MOTORS
6,775,114	GM
1,633,965	DURAGUARD
4,552,244	DURALIFE
5,367,502	DURAMAX
6,775,114	
1,342,435	GUIDE
6,439,852	GUIDEX
4,572,442	TECH 2
3,252,846	VORTEC
271,167 314,824 314,825 314,823	
1,685,062 4,596,433 1,474,088 1,575,170	
1,471,518 1,661,627 2,309,369 2,311,214 2,348,249 2,522,861 2,563,091	CHEVROLET
2,357,128 2,308,986 1,494,385	CHEVY
2,313,756 2,356,823 2,654,526 3,126,223 3,628,953 4,246,081	CAMARO
2,866,966	AVALANCHE
5,751,576 2,656,665	BLAZER



2,561,229 4,394,946 2,059,324	BEL AIR
3,185,665	C6
4,646,598	CANYON
2,311,794 4,431,312 4,431,313 4,431,314 4,431,315	CHEVELLE
4,646,599	COLORADO
1,467,522 1,494,171 1,494,980 1,495,033 2,311,215 2,314,485 2,463,898	CORVETTE
5,643,759	CRUZE PREMIER
4,382,628	EL CAMINO
2,854,854	EQUINOX
4,444,192	HIGH COUNTRY
661,322 2,311,798 2,669,222	IMPALA
4,275,949 4,275,878	L88
4,382,776	LT-1
4,713,011	LT1
2,092,090	MALIBU
2,430,738 2,681,174	MONTE CARLO
1,039,220	SILVERADO
1,519,946 1,750,042 4,436,811	STINGRAY
1,490,090 2,652,035	SUBURBAN
1,880,529 2,652,036	TAHOE
3,537,570	TRAVERSE
4,704,309	TRAX
4,275,899	TURBO-FIRE
4,275,896 4,275,897	TURBO-JET




2,316,536	Z/28
2,008,406 2,308,988 2,654,527	Z71
4,279,992 5,566,056	ZR2
4,172,493 4,117,179	ZL1
1,540,658	
2,311,397 2,563,092 2,678,153	
2,311,791 2,311,792 2,311,918 2,538,436 2,550,170 2,562,025 2,578,898 2,734,714 2,736,654 2,779,456	
95,398	
1,519,942 1,530,792 1,661,628	
579,485	
2,311,399	
2,631,880 2,654,528	
2,750,257	
2,242,877 2,683,719	
3,739,089 3,739,090 3,739,092 3,739,093 3,739,094	










3,739,096 3,739,097 3,739,098	
4,482,475 4,597,263 4,601,524 4,601,525 4,601,526 4,601,527 4,719,036 4,719,043	
1,491,293 1,494,172 2,311,917 2,545,133 2,578,899 2,666,595	
6,190,715 6,639,689	
6,433,801	
3,650,649 3,650,651 3,650,654 3,650,657	
4,514,976 4,597,272 4,597,273 4,597,275 4,597,292 4,601,531	
2,700,379	
4,863,379 4,863,380 4,863,381 4,863,382 4,863,383 4,863,384 5,004,543	

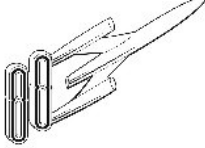
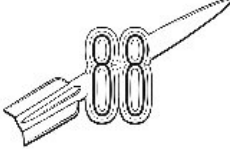



1,506,101 2,346,738	
1,898,835 2,346,737 2,346,904 2,349,761 2,756,065	
201,694 1,900,372 1,665,834 1,663,465 1,782,739 1,681,292 1,700,662 2,654,530 3,609,853	CADILLAC
6,131,047	CT4
6,119,389	CT5
3,261,764	CTS
2,931,763 2,269,827 3,520,169 3,520,185	ESCALADE
2,792,883	ESV
2,830,721	SRX
5,018,505	XT5
5,864,138	XT4
6,097,037	XT6
1,570,808	<i>Cadillac</i>
1,723,245	
1,686,536 1,871,376 1,872,415 2,659,597	
2,654,531 2,750,240 2,779,457	
4,642,212 4,728,403	

4,827,580 4,827,581 4,827,582 4,837,265	
2,875,574	
1,470,781 1,569,557 2,449,301 2,455,330 2,459,744 2,459,750 2,461,681 2,461,697 2,700,392	GMC
3,242,874	ACADIA
5,751,578	AT4
2,224,539	DENALI
4,973,662	ELEVATION
2,744,964	LIKE NOTHING ELSE
2,057,709	SAVANA
1,573,202 2,683,735	SIERRA
1,598,480	YUKON
3,056,298	H2
3,453,396 3,457,399 3,717,305	H3
2,245,635 2,414,500 2,953,685 5,519,708	HUMMER
2,631,795 2,740,337 2,654,456 2,954,605 2,625,050	HUMMER
2,625,051 2,604,940	

2,659,457	
860,907 1,682,097 1,685,308 1,685,358 1,686,484 1,694,262 1,727,606 2,625,102 2,678,154	BUICK
5,464,849	AVENIR
3,336,426	ENCLAVE
4,342,824	ENCORE
4,308,089 4,333,887 4,333,889 4,333,888 4,333,886	GNX
4,275,405 4,275,368 4,275,406 4,275,397 4,275,355	GRAND NATIONAL
4,275,881 4,275,882	GSX
2,926,906	LACROSSE
2,693,400	REGAL
5,082,334	RIVIERA
5,570,976	TOURX
511,603	BUICK
1,559,739 1,690,241 1,698,990 1,713,553 1,741,359 1,790,402 2,545,104 2,625,101	

2,631,830 2,740,351	
1,473,052	
1,467,546 1,701,857 1,708,037 2,539,540 2,563,775 2,563,776 2,659,488 2,683,733 2,685,227	PONTIAC
1,470,780 2,700,393	FIREBIRD
2,686,610	BONNEVILLE
1,470,782 3,329,341 3,329,342	FIERO
2,686,611	GRAND AM
2,752,897	GRAND PRIX
2,522,859 4,275,876 4,275,877	GTO
2,985,088 3,401,756	THE JUDGE
4,279,990 4,279,991	WS6
1,495,970	 PONTIAC
1,686,331 1,697,696 1,697,755 2,539,542 2,550,171 2,555,084 2,570,842 2,625,151	

2,635,330 2,683,734	
2,563,777	
1,494,384	
2,734,723	
4,334,451 4,334,454	
4,338,289 4,338,290	
4,338,292	
4,338,293 4,338,294	
2,775,430 1,745,728 2,736,653 1,744,632	OLDSMOBILE
4,286,315 4,286,316	442
2,777,839	
2,727,122	

4,334,441	
4,331,923	
2,052,593	AC-DELCO
6,883,181	DELCO
2,216,695	AUTOTRAC
4,189,148	DELCO REMY
2,044,503	DEX-COOL
6,725,091	DEXCOOL
3,929,002	DEXOS
833,566	DEXRON
3,532,106	
2,010,805	
2,457,659	RAPID FIRE
310,672	TRANSYND
311,173	
311,656	
2,440,150	
2,440,149	
2,426,384	
2,445,740	
2,445,739	
3,111,630	
2,399,723	
2,445,737	
2,445,738	
5,751,569	
3,945,278	
4,653,624	
4,471,526	

This Court also finds that issuing this Order without notice pursuant to Rule 65(b)(1) of the Federal Rules of Civil Procedure is appropriate because Plaintiff has presented specific facts in the Declaration of Andrea Ankawi [21], paragraphs 22-27, and the Declaration of Justin R. Gaudio [20], paragraphs 5-11, in support of the Motion for Temporary Restraining Order and accompanying evidence clearly showing that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition. Specifically, in the absence of an *ex parte* Order, Defendants could and likely would move any assets from accounts in financial institutions under this Court's jurisdiction to off-shore accounts. As other courts have recognized, proceedings against those who deliberately traffic in counterfeit merchandise are often useless if notice is given to the adverse party. Accordingly, this Court orders that:

1. Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under or in active concert with them be temporarily enjoined and restrained from:
 - a. using the GM Trademarks or any reproductions, counterfeit copies or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine GM product or not authorized by Plaintiff to be sold in connection with the GM Trademarks;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine GM product or any other product produced by Plaintiff, that is not Plaintiff's or not produced under the authorization, control or supervision of Plaintiff and approved by Plaintiff for sale under the GM Trademarks;

- c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;
 - d. further infringing the GM Trademarks and damaging Plaintiff's goodwill; and
 - e. manufacturing, shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear any of Plaintiff's trademarks, including the GM Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof.
2. Upon Plaintiff's request, any third party with actual notice of this Order who is providing services for any of the Defendants, or in connection with any of the Online Marketplaces, including, without limitation, any online marketplace platforms such as eBay, Inc. ("eBay"), AliExpress, Alibaba Group Holding Ltd. ("Alibaba"), Amazon.com, Inc. ("Amazon"), ContextLogic Inc. d/b/a Wish.com ("Wish.com"), Walmart, Inc. ("Walmart"), Etsy, Inc. ("Etsy"), WhaleCo Inc. ("Temu") and DHgate.com ("DHgate") (collectively, the "Third Party Providers") shall, within seven (7) calendar days after receipt of such notice, provide to Plaintiff expedited discovery, including copies of all documents and records in such person's or entity's possession or control relating to:
- a. the identities and locations of Defendants, their affiliates, officers, agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including all known contact information and all associated e-mail addresses;
 - b. the nature of Defendants' operations and all associated sales, methods of payment for services and financial information, including, without limitation, identifying

information associated with the Online Marketplaces and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplaces; and

- c. any financial accounts owned or controlled by Defendants, including their affiliates, officers, agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, PayPal, Inc. ("PayPal"), eBay, Alipay, Alibaba, Ant Financial Services Group ("Ant Financial"), Amazon Pay, Wish.com, Walmart, Etsy, DHgate, Temu or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
3. Upon Plaintiff's request, those with notice of the injunction, including the Third Party Providers as defined in Paragraph 2, shall, within seven (7) calendar days after receipt of such notice, disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the GM Trademarks.
4. Defendants shall be temporarily restrained and enjoined from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
5. Any Third Party Providers, including PayPal, eBay, Alipay, Alibaba, Ant Financial, Wish.com, Walmart, Etsy, DHgate, Temu, and Amazon Pay, shall, within seven (7) calendar days of receipt of this Order:

- a. locate all accounts and funds connected to Defendants and the Seller Aliases Online Marketplaces, including, but not limited to, any financial accounts connected to the information listed in Schedule A hereto, the e-mail addresses identified in Exhibit 2 to the Declaration of Andrea Ankawi, and any e-mail addresses provided for Defendants by third parties; and
 - b. restrain and enjoin any such accounts or funds from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
6. Plaintiff is authorized to issue expedited written discovery, pursuant to Federal Rules of Civil Procedure 33, 34 and 36, related to:
 - a. the identities and locations of Defendants, their affiliates, officers, agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including all known contact information, including any and all associated e-mail addresses; and
 - b. the nature of Defendants' operations and all associated sales, methods of payment for services and financial information, including, without limitation, identifying information associated with the Online Marketplaces and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplaces.

Plaintiff is authorized to issue any such expedited discovery requests via e-mail. Defendants shall respond to any such discovery requests within three (3) business days of being served via e-mail.

7. Plaintiff may provide notice of these proceedings to Defendants, including notice of the preliminary injunction hearing, service of process pursuant to Fed. R. Civ. P. 4(f)(3), and

any future motions, by electronically publishing a link to the Amended Complaint, this Order and other relevant documents on a website and by sending an e-mail with a link to said website to the e-mail addresses identified in Exhibit 2 to the Declaration of Andrea Ankawi and any e-mail addresses provided for Defendants by third parties. The Clerk of the Court is directed to issue a single original summons in the name of “Hefeipeikongshangmaoyouxiangongsi and The Individuals and Entities Operating Hefeipeikongshangmaoyouxiangongsi” that shall apply to all Defendants. The combination of providing notice via electronic publication and/ e-mail, along with any notice that Defendants receive from payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.

8. Schedule A to the Complaint [2] and Amended Complaint [17], Exhibit 2 to the Declaration of Andrea Ankawi [22], and this Order shall remain sealed until further ordered by this Court.
9. Plaintiff shall deposit with the Court one thousand dollars (\$1,000), either cash or surety bond, as security, which amount was determined adequate for the payment of such damages as any person may be entitled to recover as a result of a wrongful restraint hereunder.
10. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order as permitted by and in compliance with the Federal Rules of Civil Procedure and Northern District of Illinois Local Rules.

11. This Temporary Restraining Order without notice is entered at 10:00 A.M. on this 12th day of March, 2024 and shall remain in effect for fourteen (14) days.

A handwritten signature in black ink, appearing to read 'Sharon Johnson Coleman', written in a cursive style.

Sharon Johnson Coleman
United States District Judge

**General Motors LLC v. Hefeipeikongshangmaoyouxiangongsi and The
Individuals and Entities Operating Hefeipeikongshangmaoyouxiangongsi
Case No. 24-cv-01624**

Schedule A

Defendant Online Marketplaces

No	URL	Name / Seller Alias
1	amazon.com/sp?seller=A157YTNC9I2NFV	hefeipeikongshangmaoyouxiangongsi